App F IX 4

Previous References

(19 47-48 ML)

File No 93-47

Serial Nos 3 & 4

Later References

~~F~~ 9TB 1-51-27-29

CM 4-55-21, 22, 25

GENERAL AND REVENUE SECRETARIAT

Serial Nos Two

Part B for Feb 48

SUBJECT

Acquisition of S Nos 61, 65, and 70 of Vödukompapur Agrahar for extension of Bunial-ground

L 14051/ML 93-47-4 dt 27-2-48

The Competent Authority

Note for ...

WD 015467—GPB—25 000—12-9 51

15-8-47

From the Municipal Town Secretary

K I C 316/45-46 dated 12-9-47

states that the accusation of Mr. Jacob Cornelius Abraham Barcelon North Ward for enclosing the Mysore Road Burial ground, has been sanctioned by the Govt and that the objections raised by Mr Barcelon at that stage are not tenable

It is seen from the Branch Diary that the connected file was sent to the Office of the Minister for Education on 4-8-1947 - with D-4 No 666

Kindly arrange to return the file on receipt early

P.A. for the Minister for P.W. & Edn. 2/10/47

P.T.O

972
4/8/47
THE MINISTER FOR CITY MUNICIPALITIES AND RURAL
No 449
16-12-47

OFFICE OF THE MINISTER FOR EDUCATION & P.W.
Date 3/10
No 2366

I was unable to unpack
I leave it to my successor

ملاحظة
27/10/17

ml93-47-3

BANGALORE CITY MUNICIPALITY

14 SEP 1947

1589/2

No L1.C.316/45-46

Encl

FROM

MUNICIPAL OFFICES,
BANGALORE CITY

Dated 12th Sep. 1947

SAFI DARASHAH, Esq, B A,
MUNICIPAL COMMISSIONER,
BANGALORE CITY

To

Syed Abdul Aleem, Esq, B A,
Secretary to the Government of Mysore,
Revenue Department, Bangalore

SIR,

Subject - Acquisition of S Nos 61, 65 and 70 Jodi Kempapur Agrahar, Bangalore North Taluk for extending the Mysore Road Burial Ground

---

With reference to your memo No L 1923 dated 2-8-1947 on the above subject, I have the horour to state that the Municipal Council at their meeting held on 7-3-1946 sanctioned the said acquisition at an estimated cost of Rs 18,900/- Then the preliminary notification was submitted to Government and got published in the Mysore Gazette vide notification No L 11965-M1-22-45-72 dated 30th April 1946 authorising the Special Land Acquisition Officer attached to this Municipality to hear objections under Section 5(A) Land Acquisition Act In July 1946 the residents of the locality filed objection petitions both to the Special Land Acquisition Officer and to the Deputy Commissioner, Bangalore District, protesting against the proposed acquisition Then the Special Land Acquisition Officer forwarded the entire file together with the objection petitions to the Health Officer on 17-7-1946 for furnishing his opinion about the suitability of the land The Health Officer submitted a report on 16-8-1946 in this behalf thereby stating that the land proposed for acquisition is a valley adjoining the existing burial ground and it will not interfere with the village nearby and that the place is quite suitable for extending the burial ground and the objections raised by the residents are not tenable etc

2 The said objections were over-ruled, and the final declaration statements were prepared and submitted to Government in this office

p t o

letter No L1 C 316/45-46 dated 11-11-1946

3 The Government were pleased to sanction the said acquisition in their order No L 8477-81/M1 23-46-41 dated 7-12-1946 authorising the Special Land Acquisition Officer attached to this Municipality to take orders for the acquisition of the said properties The notifications were published in the Mysore Gazette dated 19-12-1946 Accordingly the Special Land Acquisition Officer issued notices to the parties concerned, inspected the spot and passed the awards in all the three cases Award and surrender notices were also issued and got served on the respective parties The Special Land Acquisition Officer has also reported that at the time of spot inspection there were no buildings on S Nos 61, 65 and 70 proposed except one or two brick kilns on S No 61 He has further stated that even during the time of his enquiry in these cases there was no evidence on record to show that the sites were formed The people of the locality as well as some of the owners of properties want the acquisition to be cancelled on the intention that they can get good amount of money if the land is converted and sold as sites

3 In the above circumstances, the objection raised by the petitioner Mr Banappa in his petition dated 21st July 1947 presented to Government at this stage is not tenable

I have the honour to be,
Sir,
Your most obedient servant,

Municipal Commissioner

hsr/-

666

TYPING SECTION
2 AUG 1947
G.H.Q. (I.E.V. SECTT)

petition dated 21-7-47 from Mr
Ramatha 9/10- Purna Venkata Kasi Lane -
III Division - Bangalore City, protesting against
the acquisition of S.Nos 61, 65 and 70 of Goods
Compound Agrahara - required for the Extension of
the Burial ground

Minute of the Minister for Education

I shall inspect the place next month

please inform the Municipal Town

Vide T C M R

Please see my orders
"Please inform the
Municipal Town Area"
Vide S A A

My visit with a draft reply.

1) Postponement
2) resubmit

1/8/47

1/8

To Mr Ramma - 10- III Main Line
1922 d 2-8-47
Endorses accordingly
1923 d 7-8-47
Why is Municipal Town necessary

666.

Returned

P A to the Minister for Education

I was unable to inspect the place & leave it to my successor

23/10/47

Submitted

Sir,

I have the honour to report on the 19th of November 1947 and found that two Survey Nos 64 & 65 are suitable & necessary for the purpose. The other Survey No 70 being Kadu and unsuitable need not be acquired.

3/12/48

2915
M

From the Municipal Commr Bangalore City
L1 C 316 dated 1-12-47

States that in G.O. No L 8477-81/ML.234B-4
dated 7-12-46 the acquisition of S Nos
61, 65 and 70 of the Gode Kempapura Agrahara -
Bangalore North Dn was sanctioned for extending
the Mysore Road Terminal ground and that S No 70
is not fit for the purpose and requests
sanction to the resolution dated 28-11-47 of the City
~~Municipality~~ Municipal Council, in regard to withdrawing
S No 70 from acquisition

Submitted with a draft notification
withdrawing the acquisition of S No 70 - Gode
Kempapura Agrahara ~~Agrahara~~ Village - Bangalore North Dn

May be approved

5 FEB 1948

8/12 8/12/47

THE MINISTER FOR CITY MUNICIPALITIES AND RURAL
No 439
Date 15-12-1947

Minister
C Secy & Secy

Approved
8/12/48

May be approved
10/12/47

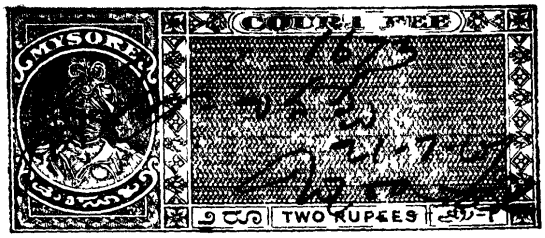
Approved
8/12/48

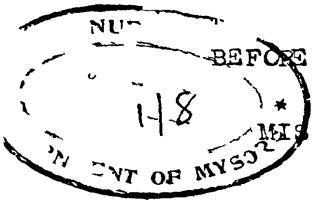
3/2 4911/12/47

The Comptroller Mysuru

No L1405(2)93-94-4
27-2-48

B
18-3-48 Address ---------





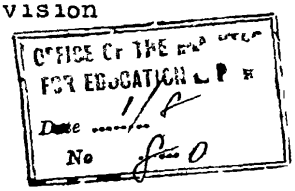
BEFORE THE GOVERNMENT OF MYSORE BANGALORE.

MISC PETITION NO. OF 47-48

PETITIONER - Banappa, residing in Door No 9/10, Poorna Venkata Rao's lane 3rd division Bangalore City

Vs

RESPONDENT Government



SUBJECT In the matter of acquisition of S No 61, 65 and 70 of Jodi, Kempapura-Agrahar, for the extension of Burial ground

(REF S.L A.Nos 85 to 87 of 1946-47 on the file of the Special Landaqquisition officer, Bangalore City Municipality

APPLICATION FOR WITHDRAWAL FROM THE ABOVE ACQUSITION

Petitioner abovenamed begs to state as follows -

1 The petitioner is the owner of the southern half of the S No 61 having purchased it from previous owner Thippamma and Ramiah under registered deed of sale about 3 years ago The sale deed has been produced before the land acquisition officer along with his objection statement

2 The S No 61 was also S No 70 referred in the preamble have been dealt with and treated as building sites by the Jodidar and the alinees from the Jodidar have laid out sites in the entire area covered by in the entire survey number

3 The petitioner along with the alienees of S Nos 65 and 70 have sub-divided the lands into sites All over the area buildings has sprung up The alinees have invested large amounts of money in making the land suitable for building purposes,

by

by levelling etc , Besides the money that has been invested in construction of the building All round the area covered by 61, 65 and 70 houses for residneital purposes have sprung up The extent of the land owned by the petitioner and the two other alinees Appiah and Siddaramiah together is 7½ acres in extent The share of the petitioner in S.No 61 is therefore about 2½ - acres in extent Almost the entire area has been converted into sites and demarcated by the alinees

4 Out of the portion belonging to the petitioner Four sites have been sold out by him as building sites The Jodidar has recognised these alinations and the conversions thereof into building sites Further he has been leavying house taxe on the houses ever since their construction

5 Being a residential locality the extension of the burial ground close to the residential locality is undesirable and dangerous to the health and well being of the residents of the locality

6 The petitioner has constructed a big well with a considerable cost and has also put up foundation with the cost of nearly 1000/-Rs He has also spent consderable amount for levelling the sites The earth work has cost him 1000 of rupees All these expenditures have been incurred in the belief that he along with others would have benefit of building houses there

7 The Northern portion of S.No 61 belonging to Muni-rajappa has also been converted into building sites and disposed of as such and several houses have been constructed by the alinees close to the portion belonging to the petitioner in this S.No which is now sought to be acquired

8 The proposed acqusition will cause him considerable

considerable hardship and will result in great irrepairable pecuniary loss which Pet is not able to bear he will further become liable to his alinees The petitioner has invested - as shown above which he cannot afford to loose

9 It is inexpedient and and unequitable under all the circumstances of the case to proceed further with the acqusition of the above S.Nos referred to above including S.No 61 belonging to petitioner

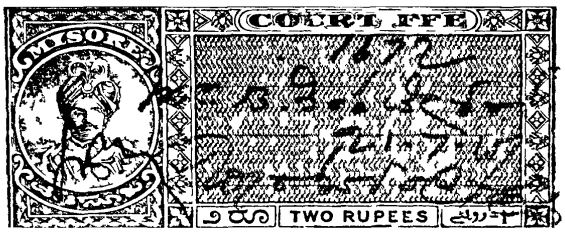
10 An xxxxxxxxx inspection of the locality in the presence of the parties will convince the Government of the reasonablness of the request of the petitioner for cancellation of the acqusition (Proposed)

Therefore, it is humbly prayed that the Minister may be pleased to to inspect the spot and/to order the cancellation of the acqusition proceedings.

Bangalore
D 21-7-47

Petitioner

Adv for petitioner



IN THE COURT OF Govt of Mysore

O S. C. No of 1947- 48

PLAINTIFF / PETITIONER / APPELLANT: Bamappa

Vs

DEFENDENT / OPPONENT / RESPONDENT: Govt

I/We Peh do hereby appoint Mr B Venkatesa Rao B.A., B.L. Advocate Bangalore and authorise them to appear my/our Advocates and act for me/us in the aforesaid case to present pleadings applications or petitions therein to the court on my/our behalf to receive documents and any money from the court or from the opposite party either in execution proceedings or otherwise and to grant receipts and discharges for the same to enter into compromise on my/our behalf and to do all other acts and things as effectually as I/we could do if personally present And whatsoever the said Advocates shall do in connection with the said case I/we do hereby agree to ratify and confirm

BANGALORE CITY

Date 21-7- 1947

W S [illegible]

I/we hereby certify that the above signatures were affixed before me by the signatory/ies whom I personally know

Accepted

B Venkatesa Rao
Adv for Peh

21/7/47

3/copies endorsement awarded L 1922 dated 2/8/46

To

Mr Banappa

No 9/10 Purna Venkata Rao lane

III Division Bangalore City

In reply to his petition dated 21-7-46 addressed to the Minister for Education & H requesting that the acquisition of S No 61, 65 and 70 of Gooda Kempapura Attabara Village Bangalore Tq required for the extension of the Municipal ground be dropped, Mr Banappa is informed that the place in question will be inspected by the Minister for Edn & H during the current month

for Revenue Secy

Memo No. dt.

Copy (with a copy of the petition) is forwarded to the Municipal Comr Bangalore City for necessary action

for Revenue Secy

BANGALORE CITY MUNICIPALITY

No Rev C 316/1946 — MUNICIPAL OFFICES,

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

No 2 — General and Revenue Secretariat,

Dated, Bangalore, 2/8/ *194*7

ENDORSEMENT

Granted to Mr.Banappa,
No.9/10, Purna Venkata Rao's
Lane, III Division, Bangalore
City.

In reply to his petition dated 21st July 1945 addressed to the Minister for Education and Public Health requesting that the adquisition of S.Nos.61,65 and 70 of Jodi Kempapur, Agrahar Village, Bangalore Taluk, required for the extension of the burial ground be dropped, Mr. Banappa is informed that the place in question will be inspected by the Minister for Education and Public Health during the current month.

By Order,

Sd Syed Abdul Aleem,
Revenue Secretary to Government.

LC/3.

p t o.

Memo No. L 923 Dated, 7 8 47

Copy (with a copy of the petition) is forwarded with compliments to the Municipal Commissioner, Bangalore City, for necessary action.

By Order,

Joint Revenue Secretary to Government.

LC

S/-

BANGALORE CITY MUNICIPALITY

No Rev C 316/1946
& 1 Prohibition copy
Encl 1 Resolution copy

MUNICIPAL OFFICES,
BANGALORE CITY
Dated 1st Dec 1946

FROM

SAFI DARASHAH, Esq, B A,
MUNICIPAL COMMISSIONER,
BANGALORE CITY

To

Syed Abdul Aleem, Esq, B A,
Secretary to the Government of Mysore,
Revenue Department, Bangalore

3/12

SIR,

Subject - Acquisition of S Nos 61,65 & 70 of Jodi Kempapur Agrahar, Bangalore North Taluk required for extending the Mysore Road burial ground

---

I have the honour to state that Government in their order No L 8477-81/M1 23-46-41 dated 7-12-1946 sanctioned the said acquisition authorising the Special Land Acquisition Officer attached to this Municipality to take order for the acquisition and the notification No L 8482-M1 23-46-42 dated 7-12-1946 was published in the Mysore Gazette dated 19-12-1946 (copy of notification enclosed)

2 Accordingly the Special Land Acquisition Officer proceeded with the acquisition and passed awards in all the three cases and award notices also issued to the respective parties concerned

3 In the meanwhile two of the interested parties Messrs M Sheik Ahamad Sab and B K Thimmarayappa presented a petition to the Honorary President on 20-11-1947 requesting to cancel the acquisition proceedings in S No 70 acquired by this Municipality

4 On the protest application the spot was inspected by me on 21-11-1947 and I was of opinion that S No 70 was not fit for the purpose, as it was rather low-lying and rocky The matter was then placed before the Municipal Council which at its meeting held on 28-11-1947 resolved to drop the acquisition proceedings in respect of S No 70 only Copy of the Council resolution is herein enclosed for favour of kind reference In this connection it is to be further stated that on the similar appeal petition

presented by the said two parties to Government, the Mini for City Municipalities and Muzrai had also inspected the spot on 21-11-1947 and was of opinion that S No 70 was not fit for the purpose and the same be omitted ~~for~~ ~~the~~ from acquisition

4 In the above circumstances, I request that the acquisition proceedings in respect of S No 70, only Jodi Kempapur Agrahar, Bangalore North taluk, may kindly be withdrawn under Section 48(1) Land Acquisition Act under notification in the Gazette

5 The acquisition proceedings on S Nos 61 & 65 alread completed may be retained

I have the honour to be,
Sir,
Your most obedient servant,

Municipal Commissioner

Forwarded with compliments

Honorary President

hsr/-

[redacted] of the Bangalore City Municipal

Commissioner's note in regard to the acquisition of Survey Nos.61, 65 and 70 of Gudadahalli village for extending the Hindu Burial Ground in Mysore Road

Resolution Commissioner's recommendation that S No 70 be omitted from acquisition and that only S Nos 61 & 65 be acquired is approved As the Hindu Burial ground is overcrowded, early possession of S Nos 61 & 65 be taken for extending the Burial Ground

Sd/- A J Khaleel,
President

"Copy"

Municipal Commissioner

G R S App F G 3

L 140 S-1 / ML93-47-4

ರೆವೆನ್ಯೂ ಸೆಕ್ರೆಟೆರಿಯಟ್

ನಂ ಎರ್ 8482—ಮುನಿಸಿಪಲ್ 23-46-42, ತಾರೀಖು 7ನೆಯ ಡಿಸೆಂಬರ್ 1946

1894ನೆಯ ವರ್ಷದ 7ನೆಯ ನಂಬರ್ ಲ್ಯಾಂಡ್ ಅಕ್ವಿಜಿಷ್ಷನ್ ಆಕ್ಟಿನ 6ನೆಯ ಪ್ರಕರಣವನ್ನನುಸರಿಸಿ ಇದರಿಂದ ಪ್ರಸಿದ್ಧಪಡಿಸುವುದೇನೆಂದರೆ —ಇದರಡಿ ವಿವರಿಸಿರುವ ಸ್ವತ್ತುಗಳು ಸರ್ಕಾರಿ ಕೆಲಸಕ್ಕೆ ಎಂದರೆ, ಮೈಸೂರು ರೋಡಿನಲ್ಲಿ ಸ್ಮಶಾನ ಏರ್ಪಡಿಸ ವುದಕ್ಕೆ ಅವಶ್ಯಕವಾಗಿದೆ ಮತ್ತು ಮೇಲ್ಕಂಡ ಆಕ್ಟಿನ 7 ಮತ್ತು 3 (೦) ಪ್ರಕರಣವನ್ನನುಸರಿಸಿ ಬೆಂಗಳೂರು ಸಿಟಿ ಸ್ಪೆಷಲ್ ಲ್ಯಾಂಡ್ ಅಕ್ವಿಜಿಷ್ಷನ್ ಆಫೀಸರರಿಗೆ ಸದರಿ ಜಮೀನುಗಳನ್ನು ಹೊಂದುವುದಕ್ಕೆ ಕ್ರಮ ಜರುಗಿಸಲು ಅಧಿಕಾರ ಕೊಟ್ಟಿದೆ

ಬೆಂಗಳೂರು ಡಿಸ್ಟ್ರಿಕ್ಟ್ ಬೆಂಗಳೂರು ನಾರ್ತ್ ತಾಲ್ಲೂಕು III-ನೆ ಡಿವಿಜ಼ನ್ ಜೋಡಿಕೆಂಪಾಪುರ ಅಗ್ರಹಾರ ಗ್ರಾಮ

ಖಾತೇದಾರರ ಮತ್ತು ಅನುಭವದಾರರ ಹೆಸರು	ಸರ್ವೆ ನಂಬರು	ಜಮೀನಿನ ಜಾತಿ ಮತ್ತು ಅದರ ಸ್ಥಿತಿ	ಜಮೀನಿನ ಪ್ರಮಾಣ		ಜಂಟಿದು ಜಮೀನಿನ ಪ್ರಮಾಣ		ನಷ್ಟವಾಗುವ ಜಮೀನಿನ ಪ್ರಮಾಣ		ಕಂದಾಯ	ಹದ್ದುಬಂದಿ			
			ಎ	ಗು	ಎ	ಗು	ಎ	ಗು	ರೂ ಅ	ಪೂರ್ವ	ಪಶ್ಚಿಮ	ಉತ್ತರ	ದಕ್ಷಿಣ
										ಸರ್ವೆನಂಬರುಗಳು			
ಮಾ॥ ರಾ॥ ಗಳಾದ (1) ಮುನಿರಾಜಪ್ಪ (2) ಬನಪ್ಪ (3) ಎ ಎಂ ಸೊಣ್ಣಪ್ಪ (4) ಸಿದ್ದರಾಮಣ್ಣ	61	ಖಾಲ ಜಮೀನು	15	29	4	0	11	29		58 60 ಸ್ಮಶಾನ ಭೂಮಿ	62 63	ಗಾಡಿರಸ್ತೆ	65
(1) ಬೂನರೆಡ್ಡಿ ಮುನಿಸ್ವಪ್ಪನವರ ಹೆಂಡತಿ ಶ್ರೀ ಬೈರಮ್ಮನವರು ಗಾಡಿಮುನಿಯಪ್ಪನವರು	65	ಡಿಜೋ	6	35	0	25	6	10			64	61	70
ರೆಡ್ಡಿ ಮುನಿಯಪ್ಪನವರ ಹೆಂಡತಿ ಶ್ರೀ ಬೈರಮ್ಮನವರು	70	ಡಿಜೋ	15	12	2	20	12	32		69 ಸ್ಮಶಾನಭೂಮಿ	ಹಳ್ಳ	65 ಗುಡ್ಡದಹಳ್ಳಿ	69 71–72

ಹುಕುಂ ಬಮೋಜೀಬ್
ಜೆ ಬಿ ಮಲ್ಲಾರಾಧ್ಯ
ಮೈಸೂರು ಸರ್ಕಾರದ ರೆವೆನ್ಯೂ ಇರಾಖಯ ಸೆಕ್ರೆಟರಿ

G R S App F G 3

GENERAL AND REVENUE SECRETARIAT

(*Continuation sheet draft form*)

L 1405-1 / ML 93-47-4

Notification

27/2/48

Under Section 48 (1) of the Mysore Land Acquisition Act ~~Municipalities Act~~ 1894 as amended from time to time, Government are pleased to withdraw the acquisition of Survey No 70 – in the Gode Kempapura Agrahara – village, Bangalore ~~City~~ North Taluk for the extension of the Basinal Ground sanctioned in notification No L 4582 ML 23-46-42 dated 7-12-46, as it is not required for the purpose originally intended

B-O

11/12/47

By Order

Revenue Secy

The Controller, Mysore Gazette

for publication in the gazette and supply of 15 copies to be furnished from Bangalore city-

Memo No L 4582

27/2/48

Copy sent to the Municipal Commr Bangalore city for information with reference to his letter No L-1 C-316/45-46 dt 1-12-47.

for 8/12/47

for Revenue Secy

WD 03603—GPD—15 000—8-7 35

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

No L 14051/ML. 93-47-4 General and Revenue Secretariat,
Dated, Bangalore 27 FEBRUARY *194* 8

NOTIFICATION

UNDER Section 48 (1) of the Mysore Land Acquisition Act 1894, as amended from time to time, Government are pleased to withdraw the acquisition of Survey No.70 in the Jodi Keppapur Agrahar Village, Bangalore North Taluk, sanctioned for the extension of the Burial Ground in Notification No.L.8482/ML.23-46-42 dated 7th December 1946, as it is not required for the purpose originally intended.

By Order,

for SECRETARY TO GOVERNMENT,
REVENUE DEPARTMENT.

To - The Compiler, Mysore Gazette, for publication in the Gazette and supply of 15 copies to the Municipal Commissioner, Bangalore City.

Cpg/12.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

No. L. 14057/ml 93-47-4 General and Revenue Secretariat

Dated, Bangalore 27 FEBRUARY *194* 8

NOTIFICATION

UNDER Section 48 (1) of the Mysore Land Acquisition Act 1894, as amended from time to time, Government are pleased to withdraw the acquisition of Survey No.70 in the Jodi Kempapur Agrahar Village, Bangalore North Taluk, sanctioned for the extension of the Burial Ground in Notification No.L.8482/ml.23-46-42 dated 7th December 1946, as it is not required for the purpose originally intended.

By Order,

for SECRETARY TO GOVERNMENT,
REVENUE DEPARTMENT.

To - The Compiler, Mysore Gazette, for publication in the Gazette and supply of 15 copies to the Municipal Commissioner, Bangalore City.

Cpg/12.